

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 11-20781
Honorable Thomas L. Ludington

GARY DANIEL HOIG,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING
DEFENDANT'S PLEA OF GUILTY AS TO THE SOLE COUNT OF THE
INDICTMENT, AND TAKING THE RULE 11 PLEA AGREEMENT
UNDER ADVISEMENT**

A plea hearing was conducted on October 30, 2012, by United States Magistrate Judge Charles E. Binder pursuant to Defendant's consent. The magistrate judge issued his report the next day, recommending that this Court accept Defendant's plea of guilty as to the sole count of the indictment. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 35, is **ADOPTED**.

It is further **ORDERED** that Defendant's plea of guilty as to the sole count of the indictment is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 33, is taken **UNDER ADVISEMENT**.

Dated: November 16, 2012

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 16, 2012.

s/Tracy A. Jacobs
TRACY A. JACOBS